HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
and
HON'BLE SHRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION NO.19244 OF 2006

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Between:
Smt. Gousia Begum

..... Petitioner

AND

The Municipal Corporation of Hyderabad,
represented by its Commissioner having office
at Tank Bund, Hyderabad and others.

.....Respondents

::ORDER::

Counsel for the Petitioner : Sri M.A.Mujeeb

Counsel for Respondent Nos 1&2 : Sri G.Rama Rao

Dated 18.9.2006

Per Sri G.S.Singhvi, CJ

In this petition, the petitioner has made the following substantive prayer.

> " For the reasons stated above, it is prayed that this Hon'ble Court may be pleased to issue an appropriate writ or order or direction more particularly in the nature of writ of mandamus declaring the action of the respondents 1 to 3 in not demolishing the unauthorized construction raised by Respondent No.4 as illegal, arbitrary, unconstitutional and against the provisions of Hyderabad Municipal Corporation Act, 1955 and consequently direct the respondents 1 to 3 demolish the unauthorized construction raised by Respondent No.4 in premises bearing MCH No.10-5-64/1 (old) and New MCH No.10-5-64/1/A admeasuring 90 square yards or 75.21 sq.mtrs. situated at New Ahmed Nagar, First Lancer, Hyderabad and pass such other order or orders a sit may deem fit."

After arguing the case for some time, learned counsel for the petitioner made a request that his client may be permitted to withdraw the writ petition with liberty to file fresh one, if any such contingency arises.

The request of the learned counsel is accepted and the writ petition is dismissed as withdrawn.

While dismissing the writ petition we deem it proper to take cognizance of the statement made by Sri G.Rama Rao, learned

standing counsel for Municipal Corporation of Hyderabad that the concerned authorities have already initiated action in the matter of alleged illegal and unauthorized constructions made in premises bearing MCH No.10-5-64/1 (old) and New MCH No.10-5-64/1/A, New Ahmed Nagar, First Lancer, Hyderabad.

As a sequel to dismissal of the writ petition, WPMP No.24245 of 2006 filed by the petitioner for interim relief is also dismissed.

G.S.SINGHVI, CJ

C.V.NAGARJUNA REDDY,J

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